

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-00006

JOSHUA PAUL CAUDILL

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On June 27, 2019, the United States of America appeared by Andrew Tessman, Assistant United States Attorney, and the defendant, Joshua Paul Caudill, appeared in person and by his counsel, Tim Carrico, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Patrick Fidler. The defendant commenced a three-year term of supervised release in this action on October 2, 2018, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on April 15, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed another crime when, on April 30, 2019, the defendant was charged with driving under the influence after being found in a vehicle with his foot on the brake in a semi-conscious state, and admitted to being under the influence of synthetic marijuana; (2) the defendant illegally possessed and used controlled substances when he ingested synthetic marijuana on April 30, 2019, and further when he used marijuana and Xanax on or about May 21, 2019, each as admitted by the defendant; (3) the defendant failed to follow the instructions of the probation officer to appear in person to the probation office on the first Wednesday of each month when he failed to report on the first Wednesdays of April and May, but appeared on May 8, 2019, when the probation officer was not available; and (4) the defendant failed to submit to random urinalysis as directed by the probation officer when, on March 6, 2019, he was instructed to provide a urine sample but indicated that he could not void, and failed to return as instructed to the probation office the next morning; all as

admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

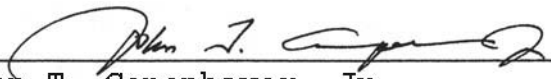
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of thirty (30) months of supervised release upon the same terms and conditions as heretofore and the special condition that the first six months of his supervised release be served at a community confinement center, and that he make himself available for an outpatient drug treatment program to be determined by the probation

officer, and that he submit to frequent, random urine screens as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 27, 2019



John T. Copenhaver, Jr.
Senior United States District Judge